

ORIGINAL



0000014707

LAW OFFICES

BISKIND HUNT & TAYLOR, P.C.

2005 FEB -8 P 4: 38

KARRIN KUNASEK TAYLOR, P.C.
DIRECT: 602/955-3452
E-MAIL: KARRINT@BISKINDLAW.COM

AZ CORP COMMISSION
DOCUMENT CONTROL

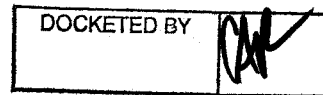
February 8, 2005

VIA HAND DELIVERY

Ernest G. Johnson
Director of Utilities
Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

FEB 08 2005



Re: Arizona Power Plant and Transmission Line Siting Committee (Docket No. L-00000B-04-0126); Witness Summaries and Exhibits

Dear Mr. Johnson:

Attached hereto is a brief summary of our expected witness testimonies together with copies of exhibits we intend to utilize. On behalf of Pivotal Sandia, LLC and the Wuertz family, our firm filed and was granted intervention status relative to the request by Salt River Project Agricultural Improvement and Power District for a Certificate of Environmental Compatibility filed with the Arizona Corporation Commission (the "ACC") as Docket No. L-00000B-04-0126.

We are also filing thirty (30) copies of the Notice of Filing together with Witness Testimony Summaries and Exhibits with the Docket Control of the ACC.

Sincerely,

Karrin Kunasek Taylor, Esq.

enclosure

cc: ACC Docket Control (30 copies)

cc (via U.S. Mail):

Ernest G. Johnson, Director of Utilities, Arizona Corporation Commission
Laurie Woodall, Esq., Office of the Attorney General
Kelly J. Barr, Esq., Salt River Project
Laura Raffaelli, Esq., Salt River Project, Legal Services Department
Kenneth C. Sundolf, Jr., Esq., Jennings, Strouss and Salmon
Lisa A. Vandenberg, Esq., Arizona Corporation Commission

Roger K. Ferland, Esq., Quarles and Brady Streich Lang
Michelle De Blasi, Esq., Quarles and Brady Streich Lang
Leonard M. Bell, Esq., Bell Law Office, PC
Scott McCoy, Esq., City of Casa Grande
Ursula Gordwin, Esq., City of Casa Grande
Walter W. Meek, Arizona Utility Investors Association
C. David Martinez, Esq., Pinnacle West Capital Corporation
Raymond S. Heyman, Esq., Roshka, Heyman & DeWulf
Lawrence Robertson, Esq.
George J. Chasse
James E. Mannato, Town of Florence
James J. Heiler, Esq.
Jordan Rose, Esq., Jorden Bischoff McGuire Rose and Hiser, P.L.C.
Court S. Rich, Esq., Jorden Bischoff McGuire Rose and Hiser, P.L.C.
Mark McWhirter, Department of Commerce
Ray T Williamson, Arizona Corporation Commission
John R. Dacey, Esq., Gammage & Burnham, P.L.C.
Andrew Moore, Esq., Earl, Curley & Lagarde
Karl Polen, Pivotal Group, Inc.

Biskind, Hunt & Taylor, P.L.C.
11201 North Tatum Boulevard
Suite 330
Phoenix, AZ 85028
TELEPHONE 602-955-4433

Attorneys for Intervenor
Karrin Kunasek Taylor, Esq., State Bar No. 016044
William E. Lally, Esq., State Bar No. 022917

**BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION)
OF SALT RIVER PROJECT)
AGRICULTURAL IMPROVEMENT AND)
POWER DISTRICT ON BEHALF OF)
ITSELF AND ARIZONA PUBLIC SERVICE)
COMPANY, SANTA CRUZ WATER AND)
POWER DISTRICTS ASSOCIATION,)
SOUTHWEST TRANSMISSION)
COOPERATIVE, INC. AND TUCSON)
ELECTRIC POWER IN CONFORMANCE)
WITH THE REQUIREMENTS OF)
ARIZONA REVISED STATUTES SECTION)
40-360, et. seq., FOR A CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY)
AUTHORIZING THE CONSTRUCTION OF)
THE PINAL WEST TO SOUTHEAST)
VALLEY/BROWNING PROJECT,)
INCLUDING THE CONSTRUCTION OF)
TRANSMISSION LINES FROM PINAL)
WEST TO THE BROWNING SUBSTATION)
AND OTHER INTERCONNECTION)
COMPONENTS IN PINAL AND)
MARICOPA COUNTIES, ARIZONA.)
_____)

Docket No.: L-00000B-04-0126

Case No. 126

NOTICE OF FILING

NOTICE IS HEREBY GIVEN that Intervenor PIVOTAL SANDIA, LLC, an Arizona limited liability company; FIRST AMERICAN TITLE COMPANY, a corporation, AS TRUSTEE OF ITS TRUST N. 8572; FIRST AMERICAN TITLE COMPANY, a corporation, AS TRUSTEE OF ITS TRUST N. 8573; FIRST AMERICAN TITLE COMPANY, a corporation, AS TRUSTEE OF ITS TRUST N. 8574; WUERTZ FARMING LIMITED

COMPANY, an Arizona limited liability company; SUNDANCE FARMS LIMITED PARTNERSHIP, LLP, an Arizona limited liability partnership; MCKINNEY FARMING COMPANY, an Arizona general partnership; SARAH WUERTZ; GREGORY WUERTZ; CAROL WUERTZ BEHRENS; AND DAVID WUERTZ are filing their list of Witnesses for Phase III of the Hearing commencing on February 14, 2005. Summaries of Testimony for Karl Polen, Russ Shasky, Tim Pohlad, Wendell Pickett and Jim Harris are included herein. Copies of Exhibits to be utilized are also included.

DATED this 8th day of February, 2005.

BISKIND, HUNT & TAYLOR, P.L.C.

By: _____
Karrin Kunasek Taylor, Esq.
Attorney for Intervenors

ORIGINAL + 30 copies filed this
8th day of February, 2005, with:

Arizona Corporation Commission
Docket Control
1200 West Washington Street
Phoenix, AZ 85007

COPIES of the foregoing mailed this
8th day of February, 2005, to:

Ernest G. Johnson, Director of Utilities
Arizona Corporation Commission
Utilities Division
1200 West Washington Street
Phoenix, AZ 85007

Laurie Woodall, Esq.
Office of the Attorney General
1275 W. Washington
Phoenix, AZ 85007-2997

Kelly J. Barr, Esq.
Salt River Project Law Department
P.O. Box 52025 PAB 221

Phoenix, AZ 85072 -0221

Laura Raffaelli, Esq.
Salt River Project
Legal Services Department
Mail Station PAB 207
P.O. Box 52025
Phoenix, AZ 85072-2025

Kenneth C. Sundlof, Jr., Esq.
Jennings, Strouss and Salmon, P.L.C.
201 East Washington Street, 11th Floor
Phoenix, AZ 85004

Lisa A. Vandenberg, Esq.
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Roger Ferland, Esq.
Michelle De Blasi, Esq.
Quarles and Brady Streich Lang, LLP
One Renaissance Square
Two North Central Avenue
Phoenix, AZ 85004-2391

Leonard M. Bell, Esq.
Bell Law Office, PC
365 East Coronado, Suite 200
Phoenix, AZ 85004

Scott McCoy, Esq., City Attorney
Ursula H. Gordwin, Esq., Assistant City Attorney
City of Casa Grande
510 E. Florence Blvd.
Casa Grande, AZ 85222

Walter W. Meek
Arizona Utility Investors Association
2100 North Central Avenue, Suite 210
Phoenix, AZ 85004

C. David Martinez, Esq.
Pinnacle West Capital Corporation
P.O. Box 53999, Mail Station 8695
Phoenix, AZ 85072

Raymond S. Heyman, Esq.
Roshka, Heyman & DeWulf
400 E. Van Buren, Suite 800
Phoenix, AZ 85004

Lawrence V. Robertson, Jr., Esq.
Munger Chadwick, P.L.C.
333 N. Wilmont, Suite 300
Tucson, AZ 85711-000

George J. Chasse, General Partner and Limited Partner
Casa Grande Mountain Limited Partnership
5740 E. Via Los Ranchos
Paradise Valley, AZ 85253

James E. Mannato
Florence Town Attorney
775 N. Main St.
P.O. Box 2670
Florence, AZ 85232

James J. Heiler
APCO Worldwide
5800 Kiva Lane
Scottsdale, AZ 85253


Jordan Rose, Esq.
Court S. Rich, Esq.
Jorden Bischoff McGuire Rose & Hiser
7272 E. Indian School Road, Suite 205
Scottsdale, AZ 85251

John R. Dacey, Esq.
Gammage & Burnham
One Renaissance Square, 18th Floor
Two North Central Avenue
Phoenix, AZ 85004

Andrew Moore, Esq.
Lynne Lagarde, Esq.
Earl, Curley & Lagarde
3101 N. Central Avenue, Suite 1000
Phoenix, AZ 85012

Mr. Mark McWhirter
Dept. of Commerce
2nd Floor North, Suite 220
1700 W. Washington Street
Phoenix, AZ 85007

Ray T. Williamson, C.E.M.
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007



**Summary of Testimony for Potential Witnesses
For Intervenors Pivotal/Wuertz
Docket No. L-00000B-04-0126
Pinal West to SEV/Browning 500kV Transmission Project**

Karl Polen

Karl Polen is the Executive Vice President of Pivotal Group, LLC ("Pivotal").

Mr. Polen has significant experience in the development of real estate and specifically in the development of master planned communities. Prior to his employment with Pivotal, he worked over fifteen (15) years as the Chief Financial Officer for Robson Communities, developer of master planned communities and adult resort communities including Sun Lakes in Maricopa County and Pebblecreek in Goodyear, Arizona. During his tenure at Robson Communities, he arranged financing for company projects, managed the commercial real estate division, as well as water resources and environmental matters.

Mr. Polen is Chairman of the Board of the Arizona State Retirement System, a \$20 billion dollar plan that serves 350,000 state, municipal and school employees and is a past board member of the Central Arizona Project and the Governor's Water Management Commission. Mr. Polen received his Bachelor of Music degree from the University of Illinois and his Masters Degree is Business Administration from Vanderbilt University.

Mr. Polen is expected to identify the approximately 3,200 acre Sandia property that Pivotal is currently developing including the unique factors that make this property appropriate for development as a master planned community. Mr. Polen will describe the status of the entitlement process for Sandia. In addition, Mr. Polen will identify the development schedule for Sandia including anticipated development milestones and population projections.

Russ Shasky

Russ Shasky is the Senior Vice President of Land Development for Pivotal.

Mr. Shasky has over twenty-three years of experience in construction management, and land development. In 1980 he began his career in the heavy construction industry working throughout the United States on public works projects that included earthen dams and canals, hydroelectric plants, and airports. From 1986 to 1994, he was employed in Arizona by the Del Webb Corporation and UDC Homes working on large scale planned community developments. In the ten years prior to his employment at Pivotal Group he was the Principal of a consulting company, specializing in the areas of land acquisition, due diligence, financial feasibility, entitlements, and construction management for residential and master planned communities.

Mr. Shasky earned a B.S. in Construction Management at North Dakota State University and a Masters Degree in Business Administration from the University of Phoenix.

Mr. Shasky is expected to identify the approximately 3,200 acre Sandia property that Pivotal is currently developing including the unique factors that make this property appropriate for development as a master planned community. Mr. Shasky will describe the status of the entitlement process for Sandia. In addition, Mr. Shasky will identify the development schedule for Sandia including anticipated development milestones and population projections.

Wendell Pickett

Wendell Pickett is the Vice President of Greey/Pickett Partners, Inc. ("Greey/Pickett"). Greey/Pickett is an Arizona based land planning and landscape architecture firm that has designed award-winning sustainable communities in several counties and states including Superstition Mountain, in Apache Junction, Arizona and the 27,000 acre Summerlin community in Las Vegas, Nevada. Wendell Pickett has been actively designing development projects throughout the United States, Mexico, Europe and Asia for the last nineteen (19) years. Prior to forming Greey/Pickett, Mr. Pickett was the President of Wendell Pickett Associates, and prior to that, he was associated with Gage Davis Associates of Scottsdale, Arizona, PBR Inc. of Irvine, California and Forma Design, Inc. of Newport Beach, California. Other major projects on which Mr. Pickett has worked include the 8,500 acre Westover Hills mixed-use project in San Antonio, Texas, Otay Ranch, a 25,000 acre development in San Diego, California, and the 10,500 acre Tartesso master planned community in Buckeye, Arizona.

Mr. Pickett received his Bachelor of Fine Arts from the University of Redlands, California.

Mr. Pickett will provide testimony relative to the appropriate land use principles which guide land use and community planning. He will specifically discuss the use of not only long range planning tools that are used to help shape growth but also the types of uses that should be planned near utility corridors. He will also describe the appropriate land use patterns that are typically found in areas surrounding scenic mountain areas, typical growth patterns and land use matters around municipal airports. Mr. Pickett will also describe the challenges associated with planning a master planned community around multiple significant utility corridors and the impact of additional lines on the viewshed of the Casa Grande National Monument.

Tim Pohlada

Tim Pohlada is the President of Cyclone Consulting Services, a company that specializes in the planning and design of dry utilities. Prior to forming Cyclone Consulting Services he worked with IntelliCommunications and Dry Utility Services as Project Manager since 1997. He received his Master of Business Administration and his Bachelor of Science in Planning from Arizona State University.

Mr. Pohlad will identify existing utility corridors in Sandia and the constraints associated with multiple crossings necessitated by existing transmission lines and the San Carlos Irrigation Canal.

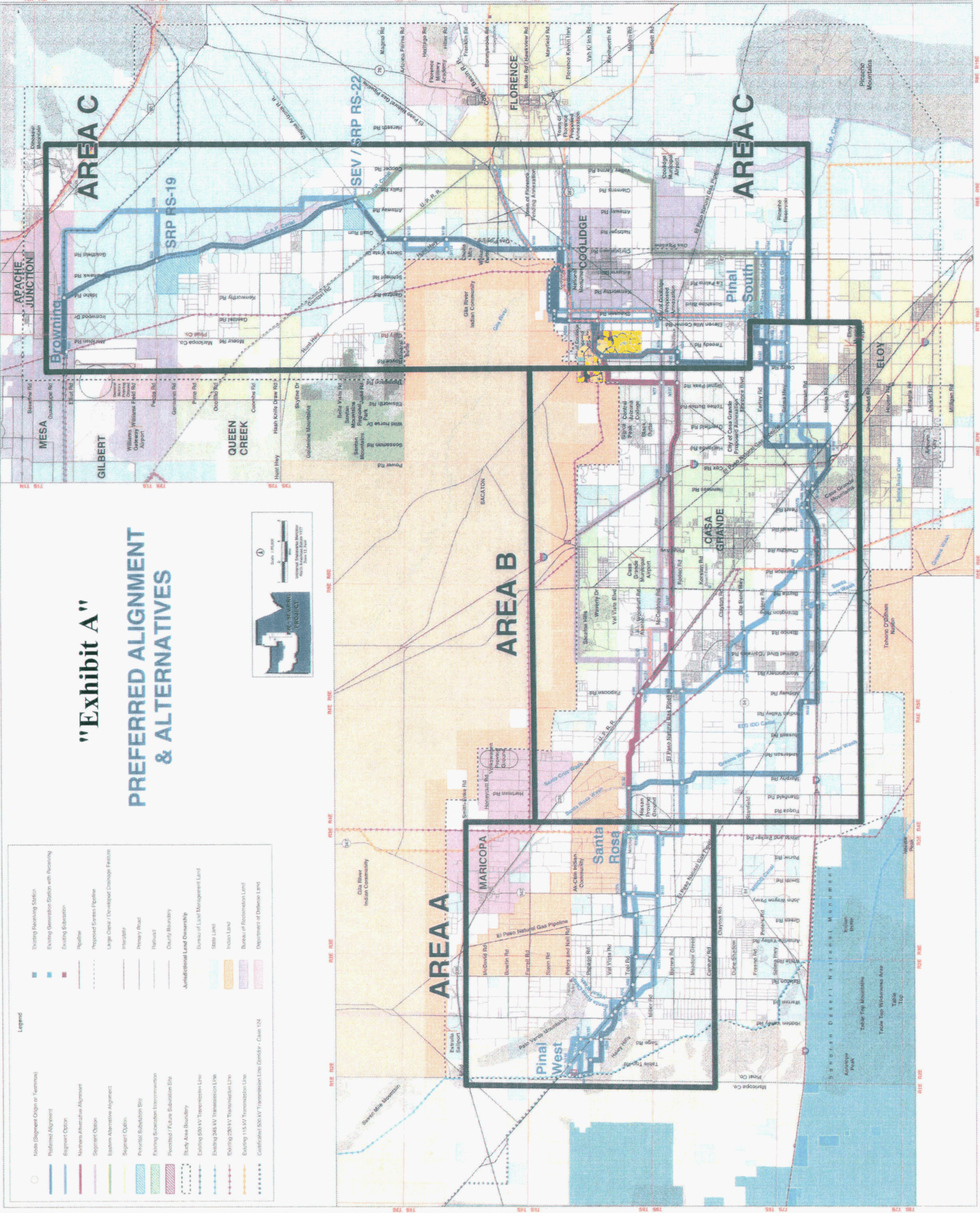
h:\wpdocs\kktpc\pivotal\sandia\srp line siting\summary of testimony.doc

"Exhibit A"

PREFERRED ALIGNMENT & ALTERNATIVES



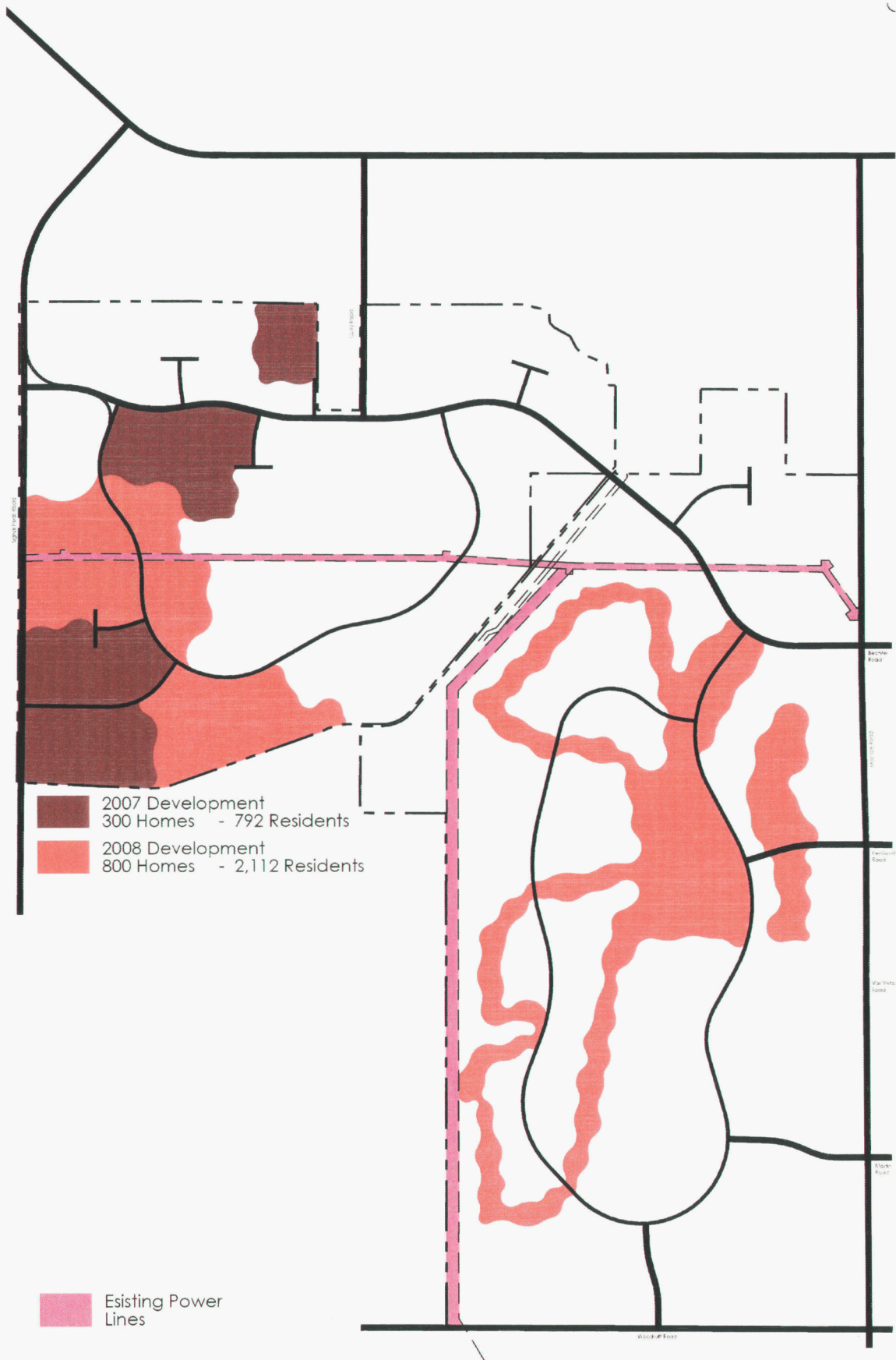
Node (Segment Origin or Terminus)	Existing Hauling Station
Preferred Alignment	Existing Generation Station with Fluctuating
Segment Option	Existing Station
Normal Alternative Alignment	Right-of-Way
Segment Option	Proposed Future Pipeline
Segment Option	Large Canal / Developed Drainage Feature
Segment Option	Unusable
Proposed / Future Substation Site	Primary Road
Existing Substation Interconnection	Railroad
Proposed / Future Substation Site	County Boundary
Study Area Boundary	Jurisdictional Land Ownership
Existing 500 kV Transmission Line	Bureau of Land Management Land
Existing 245 kV Transmission Line	State Land
Existing 230 kV Transmission Line	Indian Land
Existing 115 kV Transmission Line	Bureau of Reclamation Land
Existing 500 kV Transmission Line (Double-Circuit)	Department of Defense Land

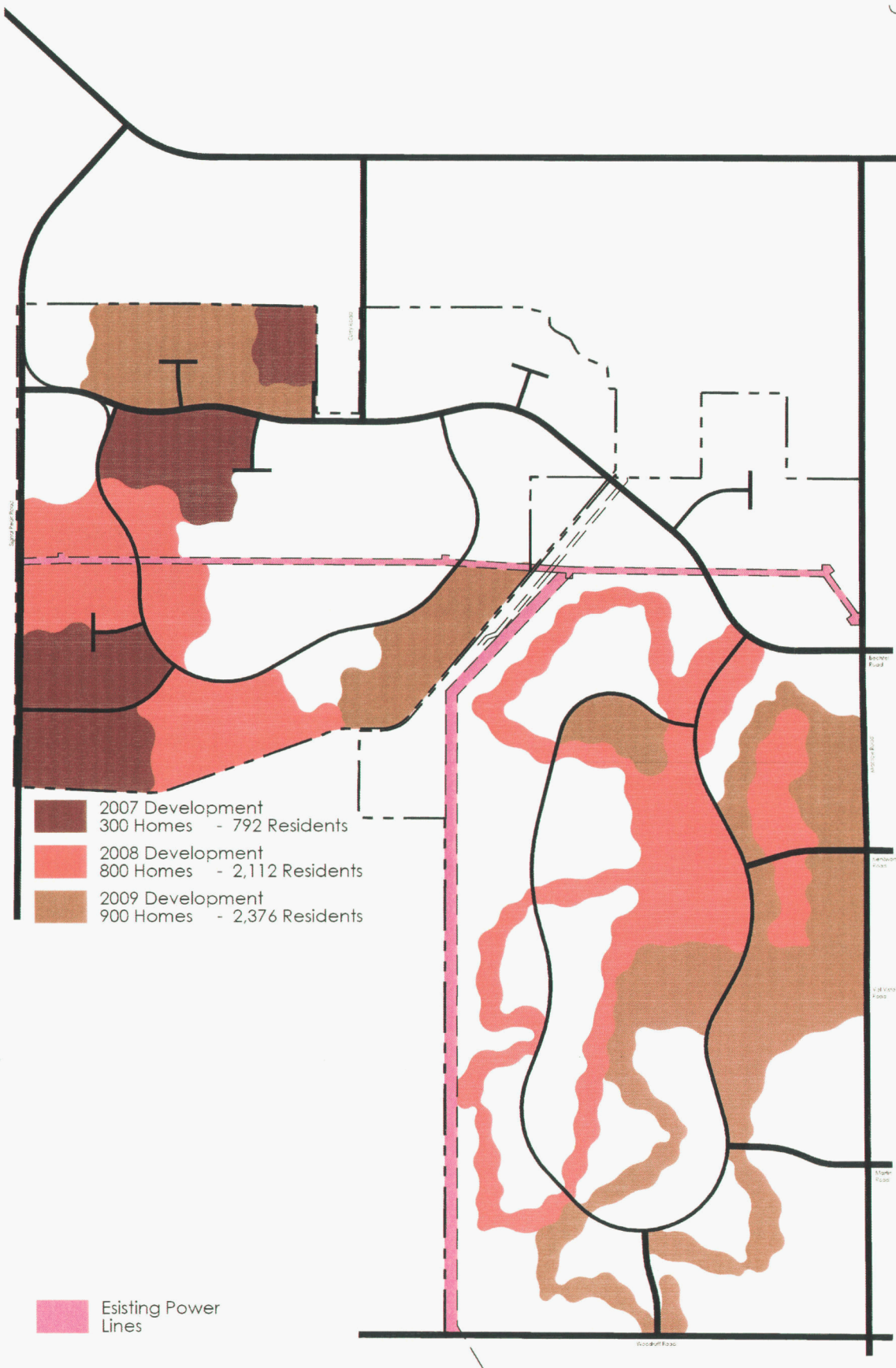


“Exhibit B”

This map, titled "Exhibit B", illustrates the proposed 2007 Development area, which is shaded in dark red. The development is located in the upper left portion of the map. A legend indicates that the development consists of 300 homes and 792 residents. The map also shows existing power lines, represented by solid black lines, and proposed power lines, represented by dashed black lines. The map includes a north arrow in the top right corner and a scale bar in the bottom right corner. The map is bounded by a thick black line on the left and a thick black line on the right. The map is divided into several sections by thin black lines. The map is labeled with "2007 Development" and "300 Homes - 792 Residents" in the bottom left corner. The map is labeled with "Existing Power Lines" in the bottom right corner. The map is labeled with "Proposed Power Lines" in the bottom right corner. The map is labeled with "North Arrow" in the top right corner. The map is labeled with "Scale Bar" in the bottom right corner. The map is labeled with "2007 Development" and "300 Homes - 792 Residents" in the bottom left corner. The map is labeled with "Existing Power Lines" in the bottom right corner. The map is labeled with "Proposed Power Lines" in the bottom right corner. The map is labeled with "North Arrow" in the top right corner. The map is labeled with "Scale Bar" in the bottom right corner.

300 Homes – 792 Residents

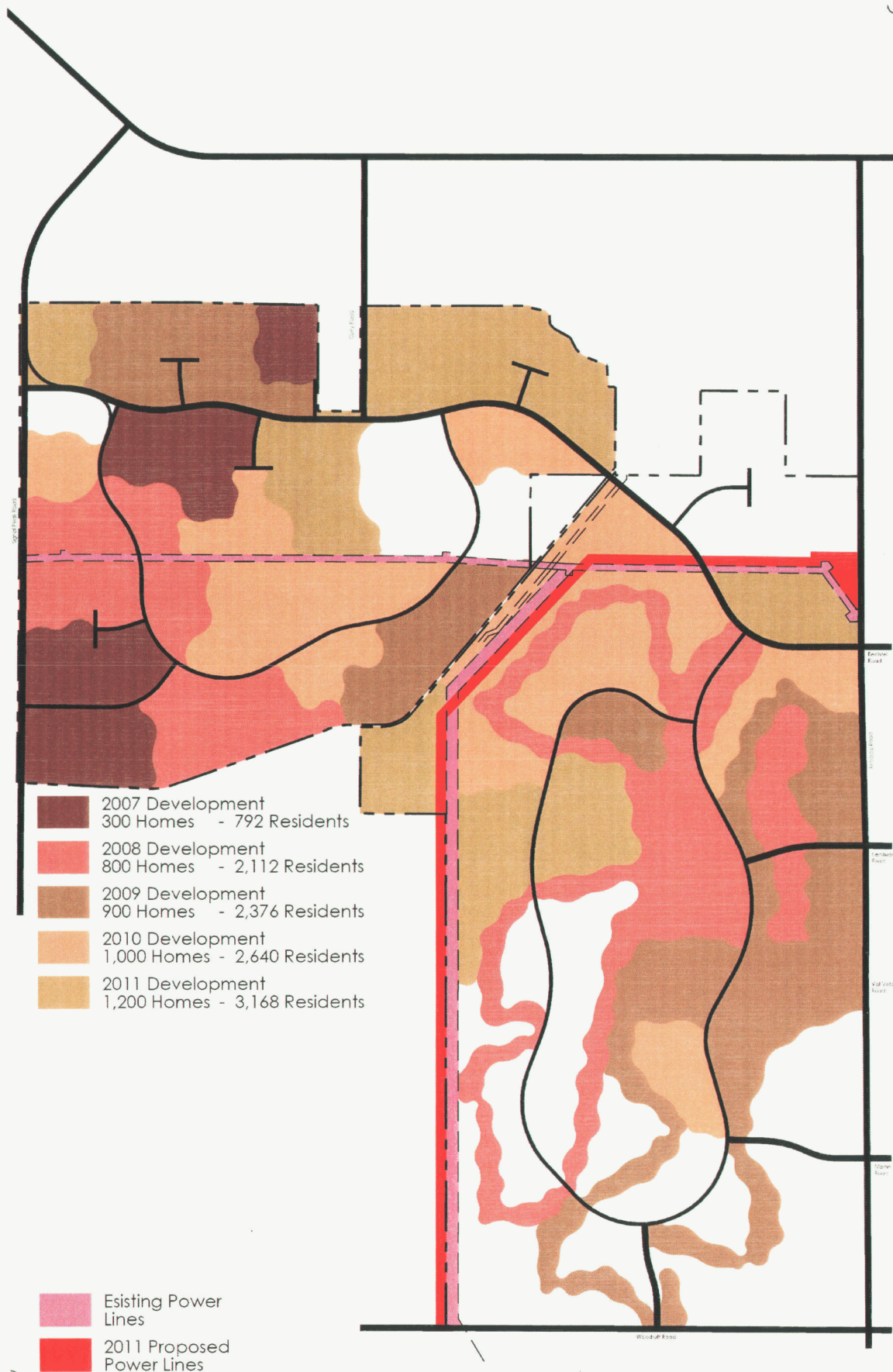




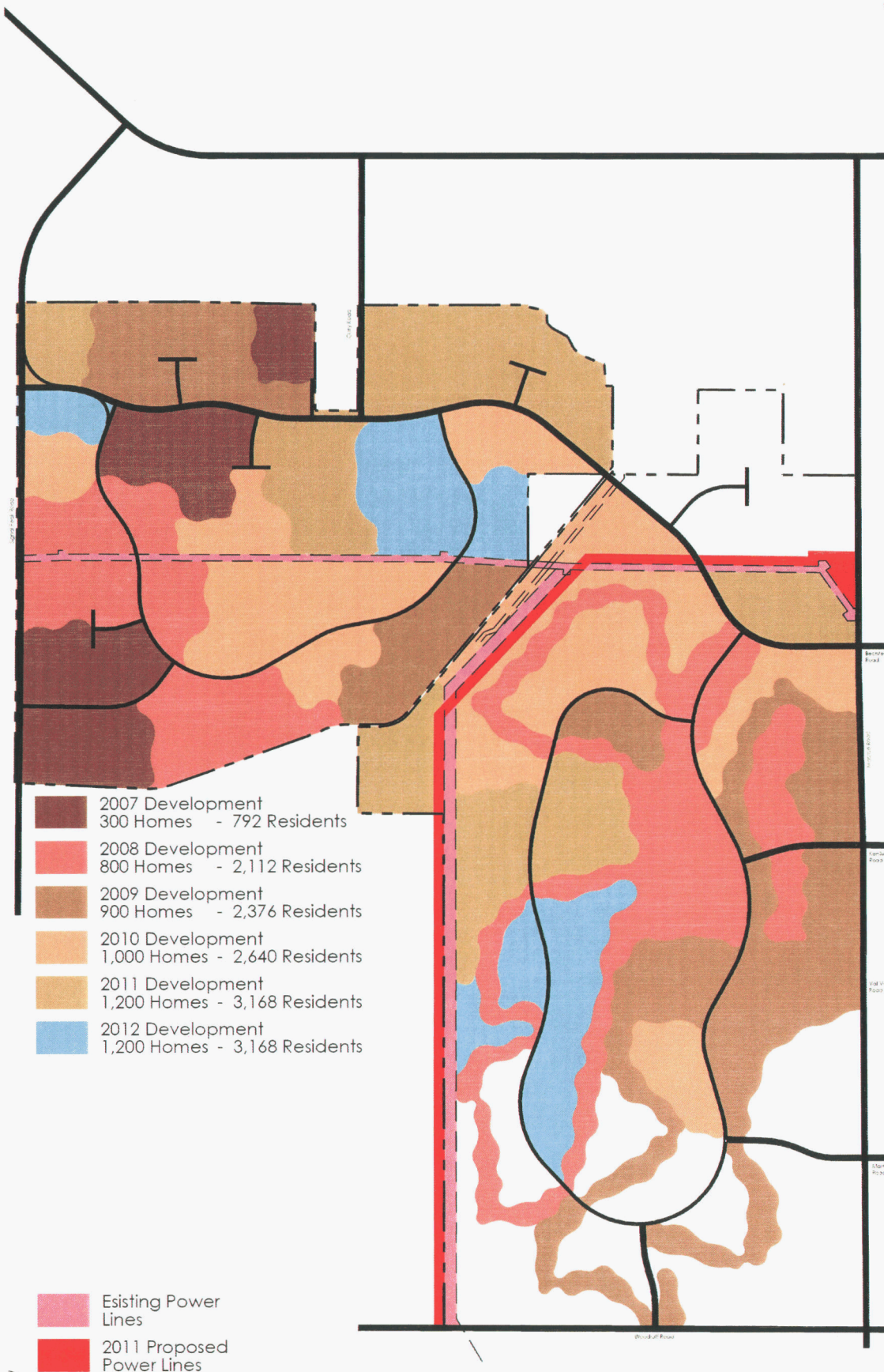
2009
2,000 Homes – 5,280 Residents



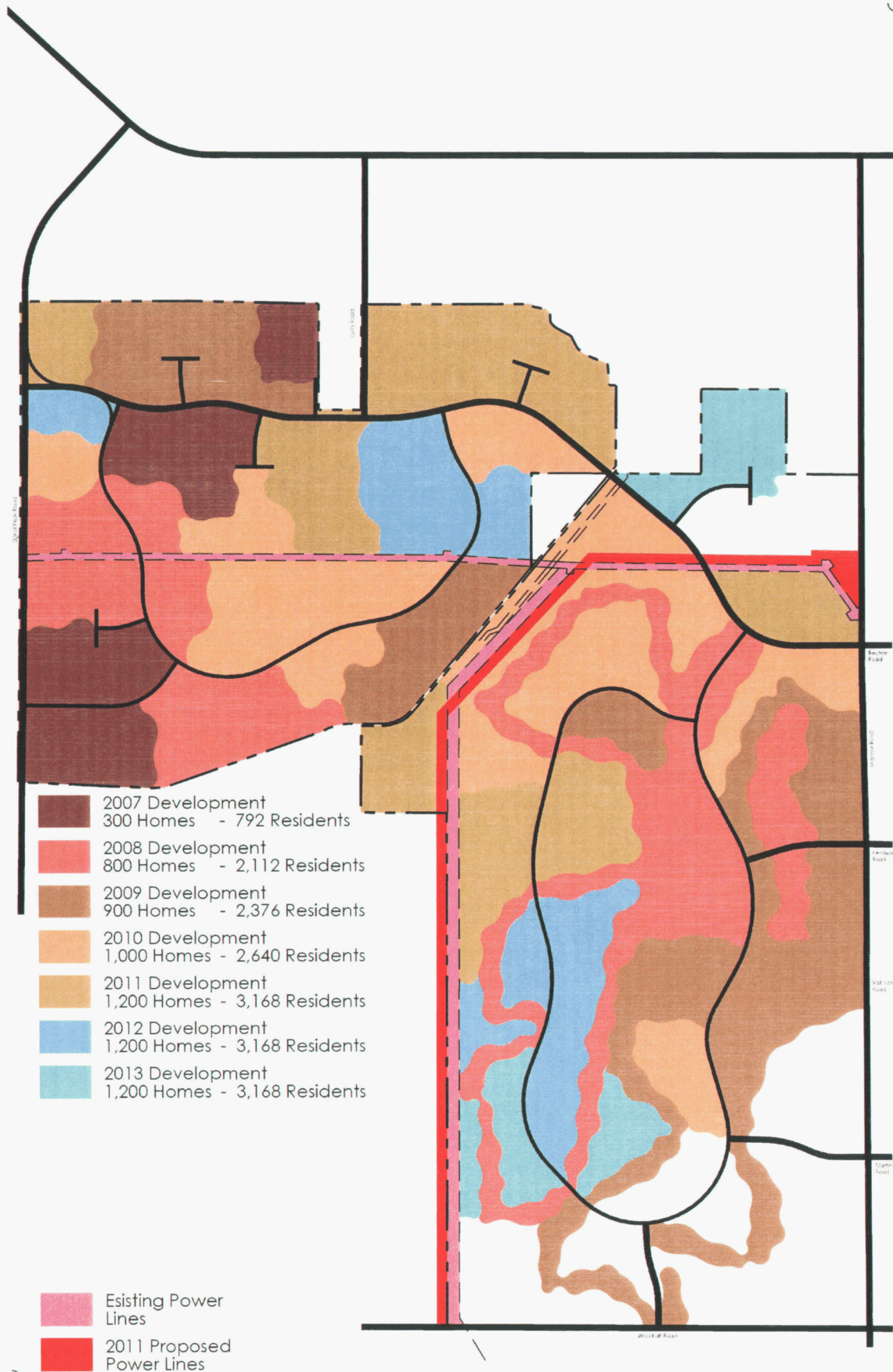
2010
3,000 Homes – 7,920 Residents



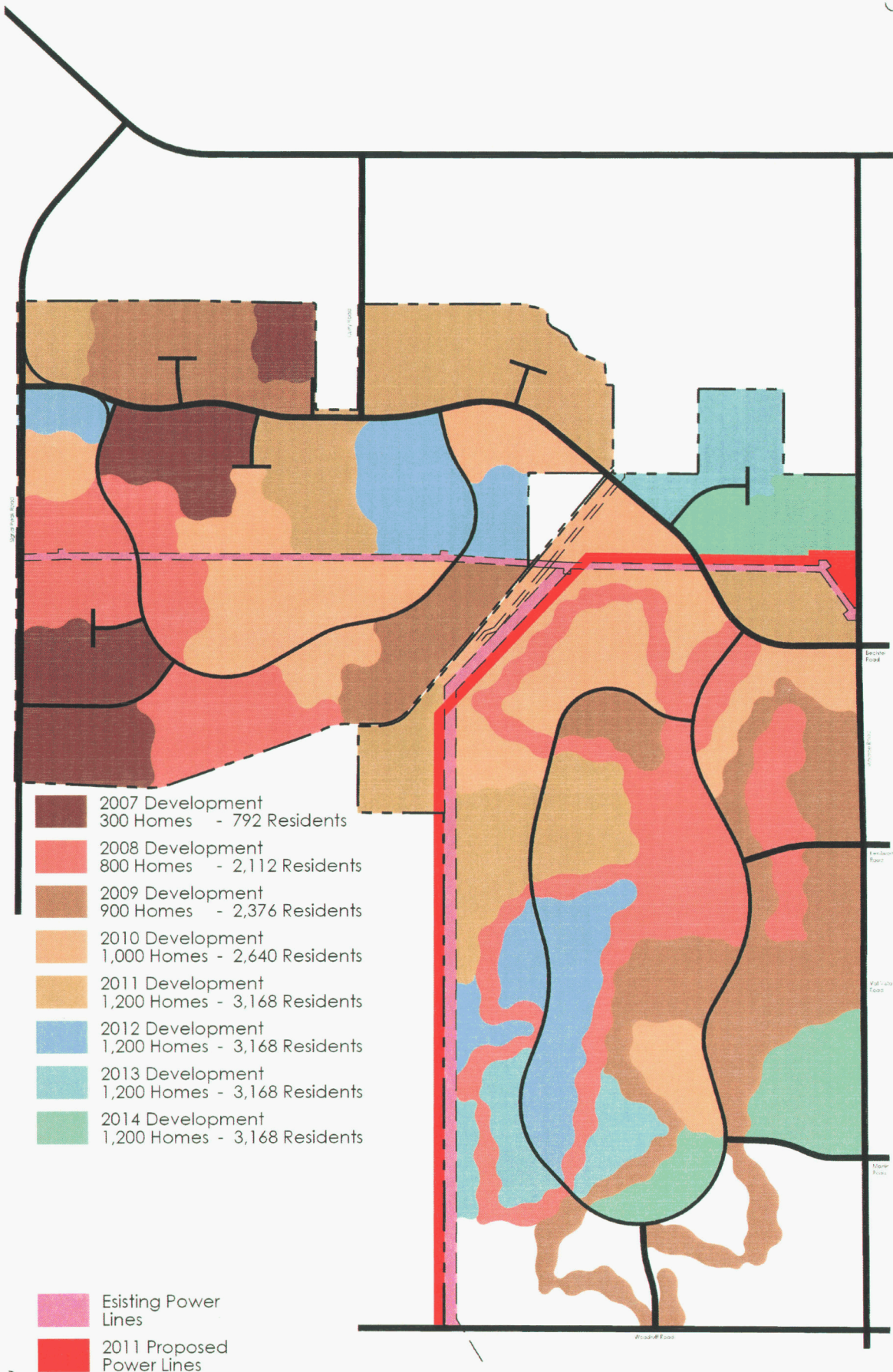
2011
4,200 Homes – 11,088 Residents



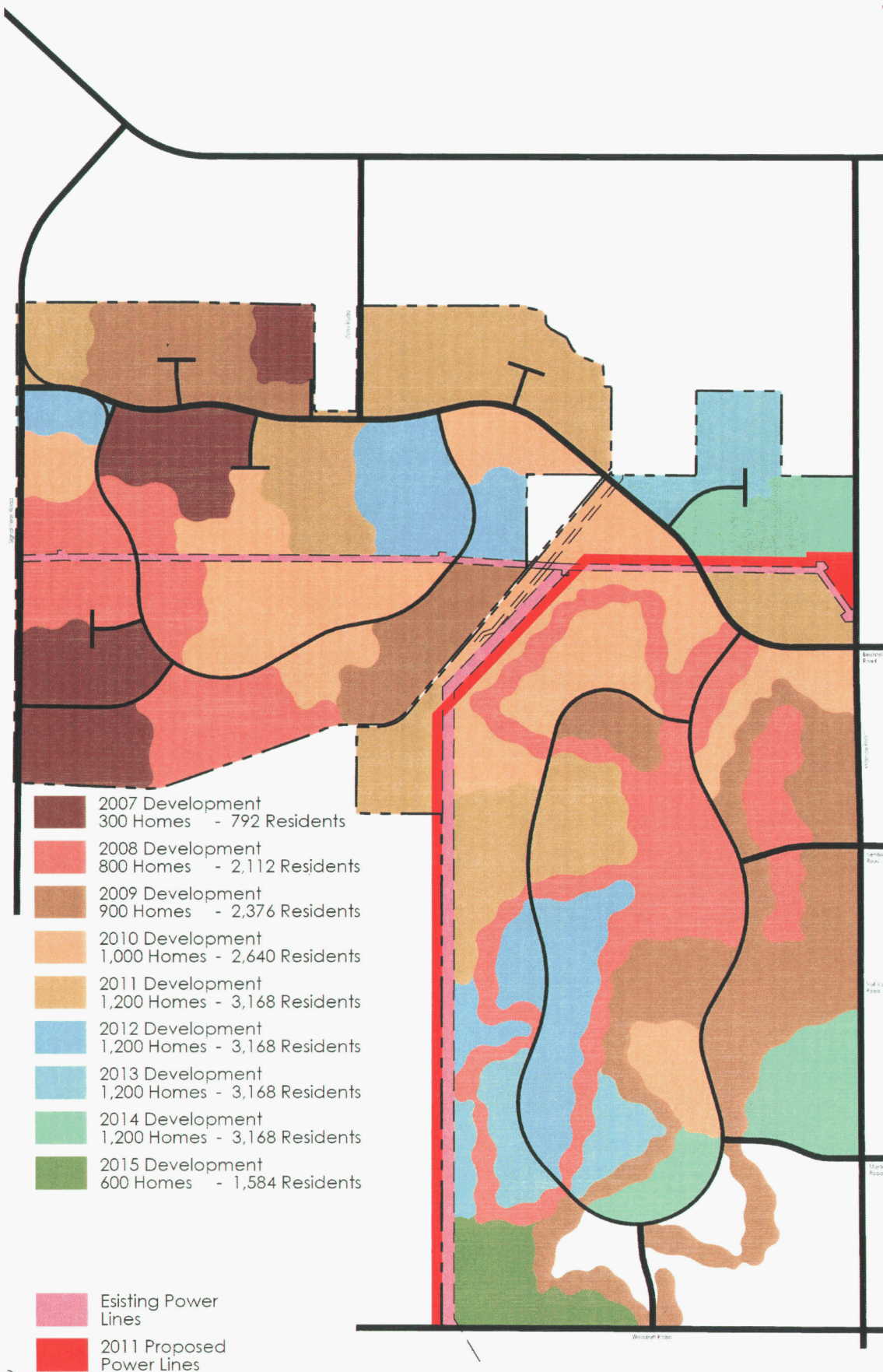
2012
5,400 Homes – 14,256 Residents



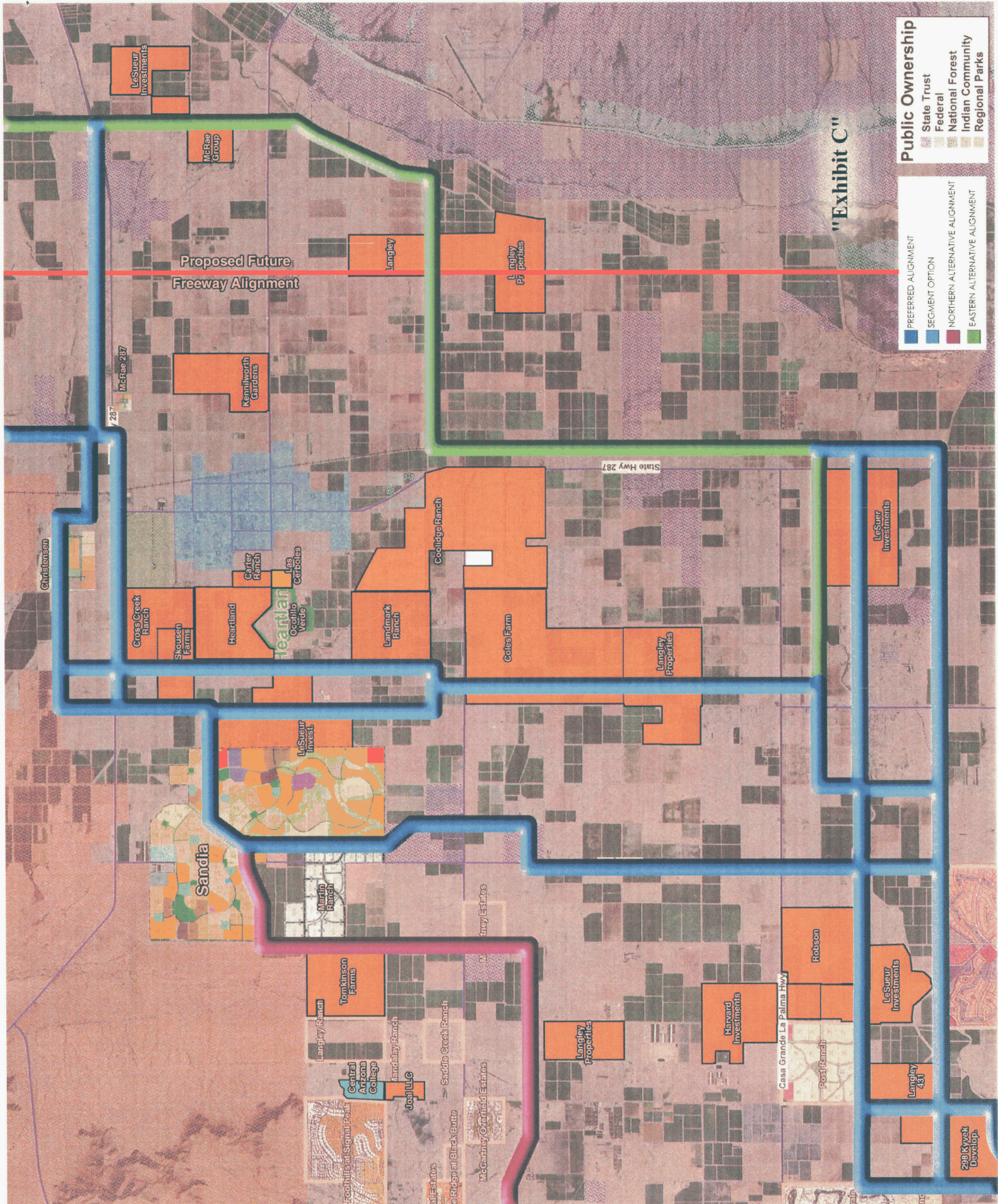
2013
6,600 Homes – 17,424 Residents



2014
7,800 Homes – 20,592 Residents



2015
8,400 Homes – 22,176 Residents



Proposed Future
Freeway Alignment

"Exhibit C"

- Public Ownership**
- State Trust
 - Federal
 - National Forest
 - Indian Community
 - Regional Parks

- Alignment**
- PREFERRED ALIGNMENT
 - SEGMENT OPTION
 - NORTHERN ALTERNATIVE ALIGNMENT
 - EASTERN ALTERNATIVE ALIGNMENT

LeSueur Investments

McRae Group

Langley

Langley Properties

Kennelworth Gardens

McRae 287

Christensen

Cross Creek Ranch

Skousen Farms

Heartland

Carter Ranch

Las Cerrillos

Ocotillo Verde

Landmark Ranch

Collidge Ranch

Giles Farm

State Hwy 287

Langley Properties

LeSueur Investments

Sandia

LeSueur Invest

Tomkinson Farms

Langley Ranch

Central Arizona College

Joan LLC

McCarney Overfield Estates

McCarney Overfield Estates

McCarney Overfield Estates

McCarney Overfield Estates

Langley Properties

Langley Properties

Harvard Investments

Casa Grande La Palma Hwy

Robson

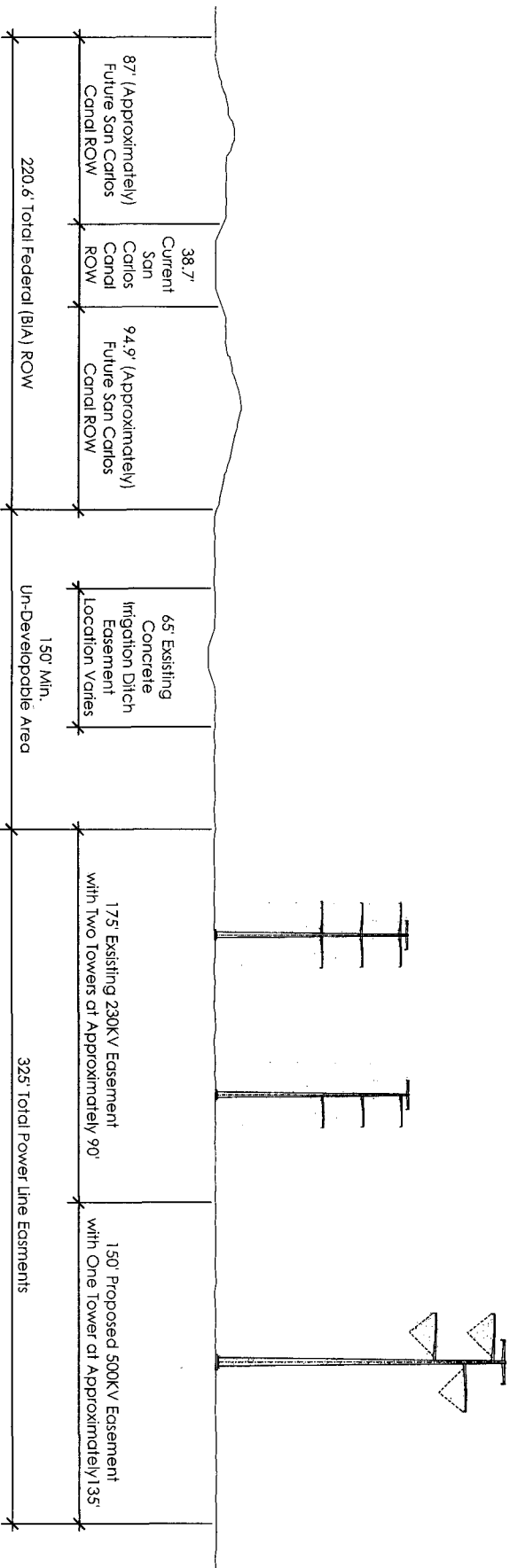
LeSueur Investments

Langley 431

Post Ranch

298 Kwyk Develop

"Exhibit E"



Note: All dimensions are approximate.